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September 22, 1983

AHS
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(1912-1967)

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Mr. Joel S. Moskowitz
Deputy Director
Toxic Substances Control Programs
Department of Health Services
714/744 P Street
Sacramento, CA 95814

Dear Mr. Moskowitz:

In response to your letter of August 25, 1983, I would like to note that I never requested that DOHS make any "superficial threshold determination" as to holding a 501 hearing. In fact my previous letter to you stated exactly the opposite.

More importantly, however, I am enclosing a letter dated August 25, 1983, from EPA to Mr. Wilcoxon of DOHS and an Inspection Report from EPA, Region 9. I firmly believe that these documents provide conclusive justification for DOHS to immediately proceed with the 501 hearing on the BKK landfill in West Covina.

I am sure you will agree that these documents raise serious issues directly affecting the potential health, safety and environment of the residents of West Covina.

Because of the serious implications of this recent EPA report the City will have no alternative but to proceed with litigation unless we are immediately notified that DOHS is commencing with the hearing provided for under Health and Safety Code Section 25149.

Very truly yours,



COLIN LENNARD

Of Burke, Williams & Sorensen

CL:eh

cc: Peter A. Rank, Director DOHS

Richard Wilcoxon, Dep. Director

Barry Seraydarian, Dir. Toxic & Waste Mgt. Div. EPA

Region 9

Hon. Mayor and Members of the City Council